

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-24 are now pending, claims 1, 11, and 21-24 being independent claims.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claims 4-7 and 14-17 would be allowable if rewritten in independent form to include limitations of their respective base claim and any intervening claims. In this Reply, Applicants have rewritten allowable dependent claims 4, 5, 14, and 15 as new independent claims 21-24, respectively. For at least reasons set forth below, Applicants respectfully submit that all pending claims should be indicated as allowable.

Rejection Under 35 U.S.C. § 102

Claims 1-3, 10-13, and 20 stand rejected under 35 U.S.C. § 102 as allegedly being anticipated by Patent Application Publication No. US 2003/0126925 to *Roeckel et al.* (hereinafter "*Roeckel*"). This rejection, insofar as it may pertain to the presently pending claims, is respectfully traversed.

Independent claim 1 is directed to a temperature sensor arrangement, which comprises: a sensor cavity, a temperature sensing element being positioned along a center line of the sensor cavity and generating a signal indicating temperature of air flowing thereto; and a generally cylindrical outer casing surrounding the sensor cavity, the outer casing including a pattern of flow passages arranged on a tubular surface of

the outer casing for allowing air flow to the temperature sensing element in the sensor cavity, the flow passages being angled such that there is no direct line of air flow from an exterior of the outer casing to the sensing element. Therefore, as emphasized by the amendments presented above, the pattern of angled flow passages recited in claim 1 is arranged on a tubular surface of the generally cylindrical outer casing surrounding the sensor cavity.

As relied on by the Examiner on page 2 of the Office Action, *Roeckel* discloses a device for measuring a parameter of a medium flowing through a line, in which a protective grating 15 is situated on an upstream end of a tubular member 8 having a flow through channel 11. See Fig. 1; para. [0015]. Although the protective grating 15 is provided with flow passages, the measuring device of *Roeckel* does not provide a pattern of angled flow passages arranged on a tubular surface of a generally cylindrical outer casing surrounding the sensor cavity as required by claim 1.

According to MPEP § 2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989).

At least in view of the above, *Roeckel* fails to anticipate claim 1, or any claim depending therefrom. *Roeckel* likewise fails to anticipate the temperature sensor arrangement recited in independent claim 11 and its dependent claims, requiring a pattern of flow passages arranged on a tubular surface of the generally cylindrical outer casing and offset relative to a center line of the outer casing.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103

Claims 8 and 18 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over *Roeckel*. Claims 9 and 19 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over *Roeckel* in view of U.S. Patent 4,941,437 to *Suzuki* (hereinafter "*Suzuki*"). These rejections, insofar as they may pertain to the presently pending claims, are respectfully traversed.

On page 3 of the Office Action, the Examiner asserts that the incremental feature recited in claims 8 and 18 relates to "a matter of obvious design choice." On page 4 of the Office Action, the Examiner relies on *Suzuki* as allegedly teaching incremental features of claims 9 and 19. Without addressing the merits of the Examiner's conclusions regarding the incremental features of these dependent claims, Applicants respectfully submit that the stated rejections fail to make up for the deficiencies of *Roeckel* discussed above with reference to independent claims 1 and 11. Accordingly, the

grounds of rejection under 35 U.S.C. § 103 fails to establish *prima facie* obviousness of any pending claim.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the Examiner's rejections under 35 U.S.C. § 103.

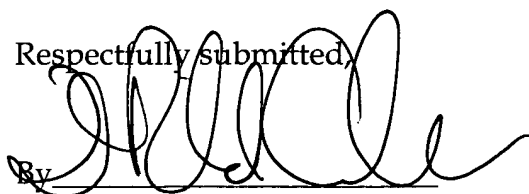
Conclusion

If the Examiner has any questions concerning this application, the Examiner is requested to contact the undersigned at the telephone number of (703) 205-8000. Facsimile communications may be sent to facsimile number (703) 205-8050.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,



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